

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

DANIEL R. WATERS, #1205659	§	
VS.	§	CIVIL ACTION NO. 9:05cv65
SERGEANT BOLTON	§	


ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the Plaintiff's motion to voluntarily dismiss the lawsuit (docket entry #5) is **GRANTED**. It is further

ORDERED that the complaint is **DISMISSED** from the docket of this Court without prejudice. Fed. R. Civ. P. 41(a)(1). All motions by either party not previously ruled on are hereby denied.

SIGNED this the **24** day of **May**, 2005.


Thad Heartfield
United States District Judge